

| RES/ORD | SUBJECT | ACTION |
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Thursday, July 31, 1997

State Legislative Program

Discussion

Tuesday, August 5, 1997

(.5) 8:00 **MEETING** with County Attorney, to include briefing on Attorney General's Opinion regarding liquor operations (*6th Floor Council Conference Room*)

Discussion

9:15 **PROPOSED CLOSED SESSION** to consult with counsel to obtain legal advice, pursuant to State Government Article, Section 10-508 (a)(7). Topic is securities issues. (*6th Floor Council Conference Room*) (Farber)

Held closed session

9:30 **INVOCATION**

Invocation

9:35 **PRESENTATION** - Proclamation in tribute to Hanley Norment, to Christa Norment, by County Executive Douglas Duncan, Council President Marilyn J. Praisner, and Council Vice President Isiah Leggett

Proclamation

9:40 **GENERAL BUSINESS**

A. **Announcement** - Agenda and Calendar Changes (Lauer)

Addendum

B. **Action** - Approval of Minutes: July 17 and July 24, 1997 (Edgar)

Approved as amended

(1) 9:45 **CONSENT CALENDAR**

B. **Introduction** - Emergency Appropriation and amendment to the County Government's FY98 Operating Budget, Department of Public Works and Transportation, Solid Waste Disposal - \$4,694,900, for Out-of-County Trash Disposal (Source: Solid Waste Disposal Fund) (Hughes)

Introduced

Public Hearing is scheduled for September 9, 1997, at 1:30 pm.

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| | E. <u>Action</u> - Appointment of Bryan Cave LLP as Special Counsel to provide legal services for Internal Revenue Code issues (Faden) | Approved appointment |
| | F. <u>Action</u> - Extension of time for Council action on resolutions due to expire August 31, 1997 <i>(Special Exception Fee for Place of Worship; State Financing for the Development of Byron House, a Rental Facility for Frail Elderly by Victory Housing, Inc.; three resolutions concerning MCPS transfer of funds and MCPS CIP amendment for City of Takoma Park Unification project; loan application under the Maryland Industrial and Commercial Redevelopment Fund: Aspen Systems; and all resolutions introduced today, August 5, 1997.)</i> | Extended time for Council action until 8/31/98 |
| <i>Note: Agenda Items 1-A, 1-C and 1-D not used.</i> | | |
| 13-1000 | G. <u>Action</u> - <u>Resolution to extend time</u> until December 9, 1997, for Council action on Executive Regulations 12-97, Closing Cost Assistance Program - Administration; and 13-97, Closing Cost Assistance Program - Eligibility (Cogan) | Extended time until 12/9/97 |
| 13-1001 | H. <u>Action</u> - Amendment to the FY98 Designation of Entities for Non-Competitive Contract Award Status - Network of Community Resources | Adopted |
| 13-1002 | I. <u>Action</u> - Resolution in Support of State Financing for Montgomery Housing Partnership's Acquisition and Rehabilitation of the Rental Housing Development known as the Landing's Edge Apartments | Adopted |
| 13-1003 | J. <u>Action</u> - Resolution regarding Committee to Study Compensation for Elected Officials | Adopted, as amended, repealing Resolution 13-815* |
| 13-1004 | K. <u>Action</u> - Resolution regarding Council Policy on Late Application to Council Appointed Boards, Committees and Commissions (Ferber) | Adopted |

*amended in session

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| 13-1005 | L. Action - Confirmation of County Executive appointments to the Committee for Ethnic Affairs: Merl E. Arp; Lynne C. Sendejo; Debra Wylie-Forth; Deborah Watson Alston; Michael Friend; Clare D. Janiczek; Youn Hwan Kim; Edward R. Landa; Reverend Jonathan C. Taylor (Ferber) | Confirmed CE appointments |
| 13-1006 | M. Action - Confirmation of County Executive appointments to the Northern Area Recreation Advisory Board: Namrata Boveja; John A. Gardner, Sr.; John Miller; Karen M. Scorsune; Gary E. Thompson; John Straus; Susan S. Wolford; Peggy Stone (Ferber) | Confirmed CE appointments |
| 13-1007 | N. Action - Confirmation of County Executive appointments to the Western Area Recreation Advisory Board: Howard S. Alenier; Loretta J. Garcia; Randolph M. Lyon; Ramanuja Narasimhan; Christopher M. Pilkerton; Dr. Hankyel T. Park; Ilene S. Solomon | Confirmed CE appointments |
| 13-1008 | O. Action - Confirmation of County Executive appointments to the Library Board: Jack J. Hsia, Ph.D.; Hennie R. Schneider; Joseph W. Devlin; Amado Ivan Arias (Ferber) | Confirmed CE appointments |
| 13-1009 | P. Action - Confirmation of County Executive appointments to the Animal Matters Hearing Board: Gloria Lyon; Joann Blackman; Mindy S. Kursban | Confirmed CE appointments |
| 13-1010 | Q. Action - Confirmation of County Executive appointments to the Juvenile Court Committee: Marilyn Kuray; Debra Rosenberg; Terri Sedran; Charles H. Wilkinson, Jr.; Eric Amo-Gottfried; Scott A. Chambers, Ph.D.; Nancy M. Grimmer; Ki Kim; Andrea G. Lange, Ph.D.; Wanda Martinez (Ferber) | Confirmed CE appointments |
| 13-1011 | R. Action - Confirmation of County Executive appointments to the Commission on Children and Youth: Dr. Carol Ann Poltsky; Michael Ward; Stephanie L. Hesse; Laura Sildon; Natalie Maxwell Fenimore; Robert Green; Lori Valencia Greene; Kevin Wang; Rachel Wiley; Katie E. Patterson; Emily Tenenbaum; Adam Weiss; Susan E. Woolf; Ilya Zusin; Agnes Leshner; Ann Yeamans (Ferber) | Confirmed CE appointments |

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| 13-1012 | <p>S. <u>Action</u> - Confirmation of County Executive appointments to the Commission on Health: Donald S. Stepita, M.D.; David M. Simpkins; Benjamin R. Wygal, Ph.D.; Dennis Hunter; Sacared Bodison, M.D.; Shirley L. Johnson; Joan L. Postow, M.D.; Regina A. Casey; Meta Snyder (Ferber)</p> <p>T. <u>Introduction</u> - Supplemental Appropriation and amendment to the County Government's FY98 Operating Budget, Department of Police and Sheriff's Office - \$260,870 for Violence Against Women programs (Source: State Grant) <i>Public Hearing is scheduled for September 9, 1997, at 1:30 pm.; PS Committee worksession tentatively scheduled for 9/11/97 at 9:00 a.m.</i></p> | <p>Confirmed CE appointments</p> <p>Introduction</p> |
| 13-1013 | <p>U. <u>Action</u> - Resolution to extend the effective period of Temporary Executive Regulation 27-97T, Historic Preservation Commission: Rules, Guidelines, and Procedures</p> <p>V. <u>Introduction</u> - Supplemental Appropriation and amendment to the County Government's FY 98 Operating Budget, Department of Police, State's Attorney; Sheriff; Dept. Correction & Rehabilitation, Dept. of Health & Human Services, and Office of the County Executive - \$510,195 for Federal Local Law Enforcement Block Grant (Source: Federal Funds) (McMillan)</p> | <p>Extended effective period to 11/18/97</p> <p>Introduced</p> |
| 13-1014 | (2) 9:50 <u>ACTION</u> - Resolution to remove a member of the Maryland-National Capital Park and Planning Commission (Faden) | Adopted |
| 13-1015 | <p>(3) 10:10 <u>ACTION</u> - Emergency Appropriation and amendment to the County Government's FY98 Capital Budget and FY97-02 Capital Improvements Program, Department of Liquor Control - \$903,000, to construct a Container Storage Facility (Source: Liquor Fund current revenues) (Ferber) <i>PS Committee recommends approval with amendments.</i></p> | Adopted, in the amount of \$920,000 |

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| 10:20 <u>DISTRICT COUNCIL SESSION</u> | | |
| 13-1016 | (4) A. <u>Action</u> - Resolution to establish public hearing on September 9, 1997, at 1:30 pm. for the Cloverly Sectional Map Amendment (Michaelson) | Adopted; set PH at 1:30 P.M., 9/9/97 |
| 13-1017 | (5) B. <u>Action</u> - Resolution to establish public hearing on September 23, 1997, at 1:30 pm. for the Amendment to the Master Plan for Historic Preservation: Silver Spring Train Station Complex | Adopted; set PH at 1:30 P.M., 9/23/97 |
| 13-1018 | (6) C. <u>Introduction</u> - Zoning Text Amendment 97016, TDR Requirements - Metro Station Policy Area (Wilson) <u>Action</u> - Resolution to establish public hearing for September 16, 1997, at 1:30 pm. | Introduced; set PH at 1:30 P.M., 9/16/97 |
| 13-1019 | (7) D. <u>Introduction</u> - Zoning Text Amendment 97017, Planned Development Zone - Compatibility Requirements (Wilson) <u>Action</u> - Resolution to establish public hearing for September 16, 1997, at 1:30 pm. | Introduced; set PH at 1:30 P.M., 9/16/97 |
| 13-1020 | (8) E. <u>Introduction</u> - Zoning Text Amendment 97018, CBD-0.5 Zone - Clarification of Development Standards for Existing Buildings <u>Action</u> - Resolution to establish public hearing for September 16, 1997, at 1:30 pm. | Introduced; set PH at 1:30 P.M., 9/16/97 |
| 13-1021 | (9) F. <u>Introduction</u> - Zoning Text Amendment 97019, Lots Recorded prior to January 1, 1954 - R-60, R-90, and R-200 Zones (Wilson) <u>Action</u> - Resolution to establish public hearing for October 9, 1997, at 7:30 pm. | Introduced; set PH at 7:30 P.M., 10/9/97 |
| 13-1022 | (10) G. <u>Introduction</u> - Zoning Text Amendment 97020, Takoma Park Annexation - Special provisions for existing buildings (Wilson) <u>Action</u> - Resolution to establish public hearing for September 23, 1997, at 1:30 pm. | Introduced; set PH at 1:30 P.M., 9/23/97 |

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| (11) | <p>H. Action - Request for Oral Argument and/or Consideration of Hearing Examiner's Report and Recommendation of Local Map Amendment:</p> <p>Application No: G-741</p> <p>Applicant: Special Agents Mutual Benefit Association, Inc. (Jody S. Kline, Attorney)</p> <p>Request: Reclassification from the R-200 Zone to the O-M (optional) Zone</p> <p>Property: Property known as Lots 4 and 5, Block D, Luxmanor Subdivision, located at 6000 Poindexter Lane and 11210 Old Georgetown Road, Rockville (1.3529 acres; 4th Election District).</p> <p>Recommendations: Planning Staff: Deny Planning Staff: Deny Planning Board: Deny Hearing Examiner: Grant or Remand to Planning Board</p> | Remanded to Hearing Examiner |
| | <p>(12) I. Action - Consideration of Applicant's request to amend and remand to Hearing Examiner for amendments - Local Map Amendment G-742, Germantown Town Center East</p> | Remanded to Hearing Examiner |
| 13-69 | <p>(12.1) J. Action - Zoning Text Amendment 96004, Residential Setbacks (Wilson)</p> <p><i>PHED Committee recommends approval with amendments.</i></p> <p>11:00 LEGISLATIVE SESSION Day #23</p> <p>A. Approval of Legislative Journal</p> <p>B. Introduction of Bills</p> <p>(13) • Bill 29- 97, Bond Authorization, sponsored by Council President at the request of the County Executive (Cogan)</p> <p><i>Public Hearing/Action is scheduled for September 16, 1997, at 1:30 pm.</i></p> | <p>*Enacted, as amended (**6y; BK, IL ab; DB a)</p> <p>Introduced</p> |

*amended in session

**y = yes; ta = temporarily absent; a = absent; ab = abstain

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| (14) | <ul style="list-style-type: none"> • Bill 30-97, Minority Procurement - Amendments, sponsored by Council President at the request of the County Executive (Faden) <i>Public Hearing is scheduled for September 23, 1997, at 7:30 pm</i> | Introduced |
| (15) | <ul style="list-style-type: none"> • Bill 31- 97, Spending Affordability Guidelines - Capital Budget, sponsored by MFP Committee (Faden) <i>Public Hearing/Action is scheduled for September 16, 1997, at 1:30 pm.</i> | Introduced |
| (16) | <ul style="list-style-type: none"> • Bill 32- 97, Cable Communications - Franchise Fee, sponsored by Council President at the request of the County Executive <i>Public Hearing is scheduled for October 28, 1997, at 1:30 pm.</i> | Introduced |
| C. Call of Bills for Final Reading | | |
| (17) | <ul style="list-style-type: none"> • Bill 19-97, Employees' Retirement System - Death Benefit (Cogan) <i>MFP Committee recommends approval with amendments</i> | *Enacted, as amended (**8y; DB a) |
| (18) | <ul style="list-style-type: none"> • Emergency Bill 24-97, Inspector General - Appointment and Removal (Faden) | Enacted (**8y; DB a) |
| (19) | <ul style="list-style-type: none"> • Bill 16-97, Alarms - Amendments (Cogan) <i>PS Committee recommends approval with amendments</i> | *Enacted, as amended (**7y; MS ta; DB a) |
| (20) | <ul style="list-style-type: none"> • Bill 18-97, Alarms - Revision (Cogan) <i>PS Committee recommends approval with amendments.</i> | *Enacted, as amended (**7y; MS ta; DB a) |
| (20.1) | <ul style="list-style-type: none"> • Emergency Bill 6-97, Community Action Agency - Governing Board (Cogan) <i>HHS Committee recommends approval with amendments</i> | *Enacted, as amended (**7y; MS ta; DB a) |

RECESSED: 12:15 P.M.

*amended in session

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| | (21) 1:30 <u>PUBLIC HEARING</u> - Zoning Text Amendment 97013, RT-15 townhouse zone (new zone) <i>PHED Committee worksession tentatively scheduled for 9/8/97 at 2:00 pm.</i> | PH; record open until close of business 8/19 |
| | (22) 1:30 <u>PUBLIC HEARING</u> - Zoning Text Amendment 97014, R-30/TDR multi-family zone (increased density provision) (Wilson) <i>PHED Committee worksession tentatively scheduled for 9/8/97 at 2:00 pm.</i> | PH; record open until close of business 8/19 |
| | (23) 1:30 <u>PUBLIC HEARING</u> - Takoma Park Sectional Map Amendment (G-748) (Wilson) <i>PHED Committee worksession tentatively scheduled for 9/8/97 at 2:00 pm.</i> | PH; record open until close of business 8/19 |
| 13-1023 | (24) 1:30 <u>PUBLIC HEARING/ACTION</u> - Resolution to approve Economic Development Revenue Bonds in amount not to exceed \$7,500,000 for Editorial Projects in Education, Inc. | PH; record closed; adopted |
| | (25) 1:30 <u>PUBLIC HEARING</u> -Emergency Bill 26-97, Homestead Property Tax Credit - 1998 Tax Year <i>Action tentatively scheduled for September 9, 1997.</i> | PH; record open until close of business 8/29 |
| | (26) 1:30 <u>PUBLIC HEARING</u> - Emergency Bill 28-97, Pawnbrokers and Secondhand Property Dealers - Use and Occupancy Certificates - Moratorium <i>Action immediately follows public hearing.</i> | PH; record closed; action taken subsequently |
| | C. Call of Bills for Final Reading | |
| | (26) • Emergency Bill 28-97, Pawnbrokers and Secondhand Property Dealers - Use and Occupancy Certificates - Moratorium (Faden) | *Enacted, as amended (**8y; DB a) |
| | (27) 2:45 <u>WORKSESSION</u> - Glenmont Sector Plan (Michaelson) | Worksession |
| | <u>ADJOURNED: 4:50 P.M.</u> Memorandum reporting Receipt of Petitions for Council | |

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| COMMITTEE | SUBJECT | ACTION |
|----------------|---|---|
| T&E | ** 9:00 AM - 7CHR | |
| Jul 30 | <ul style="list-style-type: none"> Briefing by Army Corps of Engineers re Dalecarlia Reservoir (Hughes) | Briefing |
| | <ul style="list-style-type: none"> Facility Planning for bridges on North Bethesda Trolley Trail (Orlin) | Discussion |
| MFP | 9:00 AM - 3CCR | |
| Jul 30 | <ul style="list-style-type: none"> PROPOSED CLOSED SESSION <p>- before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, pursuant to State Government Article, Section 10-508 (a)(7). Topic is Radio Shop Procurement. (6th floor Council Conference Room.) (Michaelson)</p> | Held closed session |
| | <ul style="list-style-type: none"> Discussion - Radio Shop (Michaelson) | Discussion |
| PHED | ** 10:30 PM - 3CCR (or immediately following MFP meeting) | |
| Jul 30 | <ul style="list-style-type: none"> Zoning Text Amendment 96004, Residential Setbacks (Wilson) | Recommended approval, as amended |
| ED | 1:30 PM - 7CHR | |
| Jul 30 | <ul style="list-style-type: none"> MCPS Global Access Project (Planell) | Discussion |
| | <ul style="list-style-type: none"> Report of the Global Access Performance Measurement Team (Orlansky) | Discussion |
| PS | 8:30 - 7CHR | |
| Jul 31 | <ul style="list-style-type: none"> Supplemental Appropriation, Department of Liquor Control - \$903,000, to construct a Container Storage Facility (Ferber) | Recommended approval in the amount of \$920,000 |
| HHS/PS | ** 9:00 AM - 7CHR | |
| Jul 31 | <ul style="list-style-type: none"> Update - Juvenile Justice Action Plan (McMillan/Planell) | Received update |
| | <ul style="list-style-type: none"> Child Protective Services Review and Children in Need of Assistance (CINA) (Planell) | Received update |

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| HHS Jul 31 | ** 11:30 AM - 7CHR • Emergency Bill 6-97, Community Action Agency - Governing Board (Cogan) | Recommended approval |
| PS Aug 4 | 9:00 AM - 3CCR (1) • Update - New Detention Center (McMillan) (2) • Update - MCDC Reuse | Received update Received update |
| MFP Aug 4 | ** 2:00 PM - 7CHR • PROPOSED CLOSED SESSION - before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, and to consult with counsel to obtain legal advice, pursuant to State Government Article, Section 10-508 (a)(7) and (14). Topic is use of the public right-of-way. (<i>6th floor Council Conference Room.</i>) (Cogan) | Held closed session |
| MFP Aug 4 | ** 2:30 PM - 7CHR (1) • Discussion - public rights-of-way issues (Cogan) (2) • Outcome Measures and Benchmarks (Davidson/Planell) (3) • Interagency discussion of risk management issues (Davidson/Planell) | Discussed Discussed Discussed |